

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

MICROSOFT CORP.,
Plaintiff,

v.

ALCATEL-LUCENT ENTERPRISE
and
GENESYS TELECOMMUNICATIONS
LABORATORIES, INC.,
Defendants.

Civil Action No. 07-090-SLR
Hon. Sue L. Robinson

Jury Trial Demanded

JOINT CLAIM CHART

Per the Court's scheduling order, the parties submit the following joint claim chart outlining the terms for which there is a claim construction dispute. At issue are three terms in the '439 patent, four in the '289 patent, and seven in the '357 and '064 patents. For convenience, those terms, as well as the parties' proposed constructions, appear below.

'439 patent			
Term	Appears In	MS Proposed Constr.	Defs.' Proposed Constr.
“telephone network”	All asserted claims	“network for carrying telephony information”	“network for carrying telephony information originated by telephones”
“computer network”	All asserted claims	“network for carrying digital data”	“network for carrying digital data originated by computers”
“current activity of subscribers on the computer network or according to current activity of the user on the computer network”	All asserted claims	“current status of subscribers on the computer network or according to current status of the user on the computer network”	“whether the calling party is present on the computer network or the called party is present on the computer network”
“the controller accessing the user-selectable criteria in the one or more lists of the data structure via the computer network access port and thereby applying the user-selectable criteria to the incoming call”	Claims 1, 2 and 9	<i>The parties agree to the following construction:</i> “hardware or software that accesses the user-selectable criteria in the one or more lists of the data structure via the computer network access port and thereby applying the user-selectable criteria to the incoming call”	

'289 patent			
Term	Appears In	MS Proposed Constr.	Defs.' Proposed Constr.
"telephone network"	All asserted claims	"network for carrying telephony information"	"network for carrying telephony information originated by telephones"
"computer network"	All asserted claims	"network for carrying digital data"	"network for carrying digital data originated by computers"
"monitoring activity of a user computer"	All asserted claims	<i>Phrase does not require construction.</i> <i>If construction is required:</i> "monitoring the status of a user computer"	"determining whether a called party's computer is active or idle"
"at the computer network, receiving information from the telephone network that a first party from whom a call is originating desires to establish telephone communication with a second party"	All asserted claims	<i>Phrase does not require construction.</i> <i>If construction is required:</i> "receiving at the computer network information from the telephone network that a telephone call from a first party to a second party has been initiated"	"receiving at the computer network an indication from the telephone network that a first party requests to set up a telephone call with a second party prior to the time the call is placed by the first party"

'064 and '357 patents			
Term	Appears In	MS Proposed Constr.	Defs.' Proposed Constr.
“unified messaging system”	All asserted claims	“system that allows messages of a data-centric network and a telephony-centric network to be received, stored, retrieved, and forwarded without regard to the communication devices or networks employed for the transmission of the messages (<i>i.e.</i> , in a coordinated manner)”	“system that allows messages of a data-centric network and a telephony-centric network to be received, stored, retrieved, and forwarded to the communication devices or networks employed for the transmission of the messages”
“communication options”	All asserted claims	“settings that control how communication services will be handled”	“parameters associated with specific types of communication services”
“[first/second] enable option for enabling or disabling the [first/second] communication service”	Claims 1, 3, 8, 9 and 11 of the '064 patent; claims 1, 6 and 17 of the '357 patent	“communication option that controls the extent to which a communication service is implemented”	“an option that allows a subscriber to turn on or off a communication service”
“a single graphical menu for displaying said communication options for each of said communication services at the same time”	All asserted claims	“a single graphical menu for displaying at least a first communication service and option and a second communication service and option at the same time”	“one graphical menu that shows all of the communication options associated with the subscriber's communication services”
“audibly representing said communication options to one of said telephones using said telephony server, when said subscriber employs said one of said telephones	Claim 1 of the '357 patent;	“audibly representing communication options pertaining to at least two communication services to a telephone using said telephony server, when a subscriber employs one of the telephones to access the computer-implemented control center”	“audibly representing the same options available through the graphical menu to one of said telephones, using said telephony server, when said subscriber employs said one of said telephones to access said computer-implemented control center”

'064 and '357 patents			
Term	Appears In	MS Proposed Constr.	Defs.' Proposed Constr.
to access said computer-implemented control center"			
"an audible representation of said communication options capable of being provided to one of said telephones, using said telephony server, when said subscriber employs said one of said telephones to access said computer-implemented control center"	Claim 17 of the '357 patent	"an audible representation of communication options pertaining to at least two communication services capable of being provided to one of the telephones, using said telephony server, when a subscriber employs one of the telephones to access the computer-implemented control center"	"an audible representation of the same options available through the graphical menu to one of said telephones, using said telephony server, when said subscriber employs said one of said telephones to access said computer-implemented control center"
"telephony server being configured to audibly represent said communication options to said telephone when said subscriber employs said telephone to access said computer-implemented control center"	All asserted claims of the '064 patent	"telephony server being configured to audibly represent communication options pertaining to at least two communication services to a telephone when the subscriber employs said telephone to access the computer-implemented control center"	"a telephony server that represents the same communication options that are available through the single graphical menu"

Dated: May 2, 2008

Respectfully submitted,

MICROSOFT CORPORATION

ALCATEL-LUCENT ENTERPRISE and
GENESYS TELECOMMUNICATIONS
LABORATORIES, INC.

By its attorneys,

By their attorneys,

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